

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAVIER GONZALES,

Defendant.

CR 05-102-GF-BMM-2

ORDER

Javier Gonzales (“Gonzales”) filed an Unopposed Motion for Early Termination of Supervised Release on December 20, 2023. (Doc. 138.) The United States does not oppose Gonzales’s motion. *See* (Doc. 138); (Doc. 139.) United States Probation supports early termination of Gonzales’s supervision. *See* (Doc. 139 at 2-3.) The Court conducted a hearing on the motion on January 17, 2024. (Doc. 141.) For the reasons below, the Court grants Gonzales’s motion.

Gonzales pleaded guilty to one count of conspiracy to possess with intent to distribute methamphetamine and to distribute methamphetamine, two counts of possession with intent to distribute methamphetamine and distribution of methamphetamine, and one count of use of a communication facility to facilitate the distribution of methamphetamine. *See* (Doc. 30); (Doc. 73.) The Court sentenced Gonzales to the Bureau of Prisons on December 21, 2005, for a term of 240 months,

followed by ten years of supervised release. (Doc. 73.) Gonzales began his supervision on May 19, 2021, with a scheduled termination date of May 18, 2031. *See* (Doc. 139 at 2.)

Federal law authorizes a defendant to move for termination of supervised release after successfully completing one year if the Court is satisfied that such action remains “warranted by the conduct of the defendant and the interest of justice.” 18 U.S.C. § 3564(c). The Court must consider the factors in 18 U.S.C. § 3553(a) when evaluating whether to terminate a term of supervised release.

The factors in 18 U.S.C. § 3553(a) support an early termination of Gonzales’s supervised release. Gonzales has complied with all terms of his supervised release since May 2021 when his supervised release term began and has engaged in mental health counseling. (Doc. 139 at 2.) He has been under supervision without incident for approximately 32 months. *See (Id.)* Gonzales also maintains employment. *(Id.)* Gonzales’s U.S. Probation Officer Nichole Anderson supports early termination of Gonzales’s term of supervised release. *(Id. at 2-3)* Termination of supervision is warranted.

Accordingly, **IT IS ORDERED:**

1. Gonzales’s Unopposed Motion for Early Termination of Supervised Release (Doc. 138) is **GRANTED**.

DATED this 17th day of January, 2024.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end.

Brian Morris, Chief District Judge
United States District Court